

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S Dixon Avenue, 144' S of *
Jomat Avenue * DEPUTY ZONING COMMISSIONER
(9649 Dixon Avenue) *
9th Election District * OF BALTIMORE COUNTY
6th Councilmanic District *
Case No. 96-352-A
George C. McCreary, Jr., et ux
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 9649 Dixon Avenue, located in the vicinity of Joppa Road in Parkville. The Petition was filed by the owners of the property, George C. McCreary, Jr., and his wife, Mildred F. McCreary. The Petitioners seek relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition. The subject property and relief requested are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affida-

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

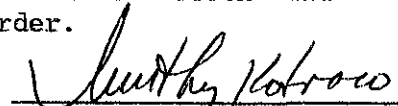
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 1996 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioners shall not allow or cause the proposed garage to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/18/96
By [Signature]

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Dixon Avenue, 144' S of
Jomat Avenue
(9649 Dixon Avenue)
9th Election District
6th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-352-A

George C. McCreary, Jr., et ux
Petitioners * * * * *

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, seek certain variance relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, the Petitioners sought relief to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition. The relief requested was granted, subject to certain terms and restrictions, by Order issued April 18, 1996.

WHEREAS, subsequent to the issuance of said Order, the Petitioner advised this Office that he had miscalculated the rear setback distance when he filed the Petition and requested a modification of the relief granted to permit a 9-foot setback in lieu of the 12 feet requested. In support of his request to amend, the Petitioner submitted a letter signed by his immediately affected neighbors indicating they have no objections to the increased variance of 3 additional feet.

There being no opposition to the additional relief sought and no adverse comments submitted by any Baltimore County reviewing agency, it appears the relief requested, as modified, should be granted.

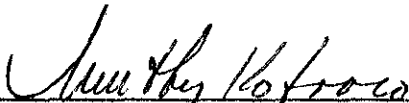
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of May, 1996 that the Order issued in the

ORDER RECEIVED FOR FILING
Date 5/5/96
By [Signature]

MICROFILMED

above-captioned matter, dated April 18, 1996, shall hereby be AMENDED to GRANT variance relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 9 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition; and,

IT IS FURTHER ORDERED that except as modified herein, all other terms and conditions of the Order issued April 18, 1996 shall remain in full force and effect.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. George C. McCreary, Jr.
9649 Dixon Avenue
Baltimore, Maryland 21234

People's Counsel; Case File

ORDER RECEIVED FOR FILES
5/3/96
Date
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 18, 1996

Mr. & Mrs. George C. McCreary, Jr.
9649 Dixon Avenue
Baltimore, Maryland 21234

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Dixon Avenue, 144' S of Jomat Avenue
(9649 Dixon Avenue)
9th Election District - 6th Councilmanic District
George C. McCreary, Jr., et ux - Petitioners
Case No. 96-352-A

Dear Mr. & Mrs. McCreary:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ File

MICROFILMED





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9649 DIXON AVE.
which is presently zoned DR 5.5

96-352-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302.3C, 14303.1 to Allow
A REAR YARD SETBACK OF 12 FT IN LIEU OF THE REQUIRED 30 FT AND
TO ALLOW A FRONT YARD SETBACK OF 19 FT IN LIEU OF THE REQUIRED
28.5 FT. FRONT YARD ACCESS.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

DUE TO SIZE & SHAPE OF PROPERTY AT 9649
DIXON AVE. - TO BUILD A GARAGE, ZONING REGULATIONS
REQUIRE A VARIANCE - SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

MR. GEORGE C. MCCREARY JR.
(Type or Print Name)

George C. McCreary Jr.
Signature

MRS. MILDRED F. MCCREARY
(Type or Print Name)

Mildred F. McCreary
Signature

9649 DIXON AVE 665-7390
Address Phone No

BALTO. MD. 21234
City State Zipcode

Name, Address and phone number of representative to be contacted

SEE ABOVE
Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JM

DATE: 3-26-96

Printed with Soybean Ink
on Recycled Paper

ITEM #: 354

ESTIMATED POSTING DATE: _____

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9649 DIXON AVE.
address
BALTIMORE MD. 21234
City / State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

DUE TO THE IRREGULAR SHAPE OF OUR LOT, BALTO.
COUNTY ZONING LAWS WOULD REQUIRE AN ADMINISTRA-
TIVE VARIANCE TO BUILD A GARAGE.
THIS GARAGE WOULD PROTECT OUR CAR FROM
THE WEATHER AND BE MORE SECURE FROM THEFT.

FOLLOWING NEIGHBORS DO NOT OBJECT TO SAID GARAGE

- ① Herbert Robinson Jr 9642 Dixon Ave ③ Jane Phil 9654 DIXON
② Francis Morfe 9648 Dixon Ave ④ Thomas M Norris 2803 JOMAT

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

George C. McCreary Jr (signature)
GEORGE C. MCCREARY JR (type or print name)

Mildred F. McCreary (signature)
MILDRED F. MCCREARY (type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of March, 19 76, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

George C. McCreary Jr and Mildred F. McCreary

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3/6/76
date

[Signature]
NOTARY PUBLIC

MICHAEL T. O'CONNOR
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 29, 1987

My Commission Expires:

- | | | | |
|---------------------|------|-----------|----------|
| 1) HERBERT ROBINSON | 9642 | DIXON AVE | 665 3503 |
| 2) FRANCIS MORFE | 9648 | " " | 661-5975 |
| 3) GREG GLINOWIECKI | 9654 | " " | 665-4472 |
| 4) THOMAS M. NORRIS | 2803 | JOMAT | 661-9059 |

- Zoning Description

96-352-A

ZONING DESCRIPTION FOR 9649 DIXON AVE.
(address)

Beginning at a point on the EAST side of
(north, south, east or west)

DIXON AVENUE which is THIRTY (30)
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of 144 SOUTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street JOMAT AVENUE
(name of street)

which is 30' THIRTY wide. *Being Lot # 156 & 157
(number of feet of right-of-way width)

Block WPC, Section # 7 in the subdivision of CARNEY VIEW
(name of subdivision)

as recorded in Baltimore County Plat Book # WPC, Folio # 90.

containing .192 AC. Also known as 9649 DIXON AVE.
(square feet or acres) (property address)

and located in the 09 Election District, 06 Councilmanic District.

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-352-A

District

9th

Date of Posting

3/29/96

Posted for:

Administration of Zoning

Petitioner:

George McCreary Jr. et al.

Location of property:

9649 N. York Ave

Location of Sign:

Convent of Paul

Remarks:

Posted by

Jeff Pender / for Edward

Date of return:

Number of Signs:

1

RECORDED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

354

DATE 3-20-76 ACCOUNT R-001610

96-352-A

AMOUNT \$ 85.00

RECEIVED FROM: Mrs. George H. C. Penny Jr.
1149 Dixon Ave. 21234
OK Pcs VNL (Admin) \$50.00
OSC 1 sign \$35.00
FOR: TOTAL \$85.00

UNRECORDED

01A0000212MICHRE \$85.00
BA 0012428PM03-20-76

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

(A)

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No 354

DATE 3-20-76 ACCOUNT R-001610

96-352-A

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96-352-A

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DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

(A)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 354 Petitioner: GEORGE C MCCREARY JR
Location: 9649 DIXON AVE BALTO MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

NAME: GEORGE C. MCCREARY JR.
ADDRESS: 9649 DIXON AVE
BALTO MD 21234
PHONE NUMBER: 665-7390

MICROFILMED 354





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 29, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-352-A (Item 354)
9649 Dixon Avenue
E/S Dixon Avenue, 144' S of Jomat Avenue
9th Election District - 6th Councilmanic
Legal Owner: George C. McCreary, Jr. and Mildred F. McCreary

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before March 31, 1996. The closing date (April 15, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: George and Mildred McCreary

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 8, 1996

Mr. and Mrs. George C. McCreary, Jr.
9649 Dixon Avenue
Baltimore, MD 21234

RE: Item No.: 354
Case No.: 96-352-A
Petitioner: G. C. McCreary, et ux

Dear Mr. and Mrs. McCreary:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 20, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: March 28, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 352, (354), 356, 357, 358, 359, 360, and 361

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: _____

Jeffrey Long

Division Chief: _____

Cary L. Kerns

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 04/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APR. 01, 1996

Item No.: SEE BELOW

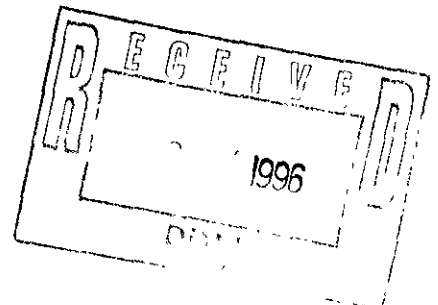
Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 351, 352, 354, 355, 356,
357, 358, 359, 360 AND 361. ⁹

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REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-29-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 354 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

RECEIVED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

PETITION PROBLEMS

#353 --- JJS

1. Need original signature for legal owner.
2. Need original signature for contract purchaser.

#354 --- JRA

1. Receipt not given to petitioner - still in folder.

#356 --- JJS

1. No telephone number for legal owner.
2. Only 1 receipt for item #356 & 357.

#357 --- JJS

1. No telephone number for legal owner.
2. Only 1 receipt for item #357 & 356.

#358 --- JLL

1. No telephone number for legal owner.

#360 --- JJS

1. No zoning classification on petition form.

#361 --- JJS

1. No zoning classification on petition form.

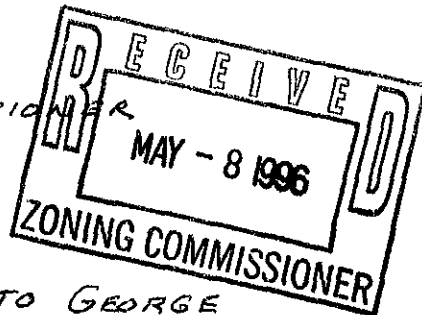
MICROFILMED

APR.

1996

TO: TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER



DEAR SIR:

I HAVE NO OBJECTION TO GEORGE
MC CREARY'S REQUEST FOR ADDITIONAL 3 FT
RELIEF TO PERMIT A REAR YARD SETBACK
OF 9 FT, INSTEAD OF 12 FT AS FILED IN THE
PETITION FOR AN ADMINISTRATIVE VARIANCE
GRANTED 4/18/96 BY YOUR OFFICE.

SIGNED: HERBERT ROBINSON

Herbert Robinson

9647 DIXON AVE

SIGNED: FRANCIS MORFE

Francis Morfe

9648 DIXON AVE.

SIGNED: GREGORY GELINOWIECKI

Gregory Gelinowiecki
9654 DIXON AVE.

SIGNED: THOMAS M. NORRIS

Thomas M. Norris

2803 JOMAT AVE MICROFILMED

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Dixon Avenue, 144' S of
Jomat Avenue
(9649 Dixon Avenue)
9th Election District
6th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-352-A

George C. McCreary, Jr., et ux
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affida-

MICROFILMED

Jim. Please call this
on Mon he needs
immediate

(Home)
665-7390

9 FT
amended -
10 in
12 ft

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

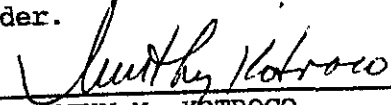
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THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 1996 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioners shall not allow or cause the proposed garage to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

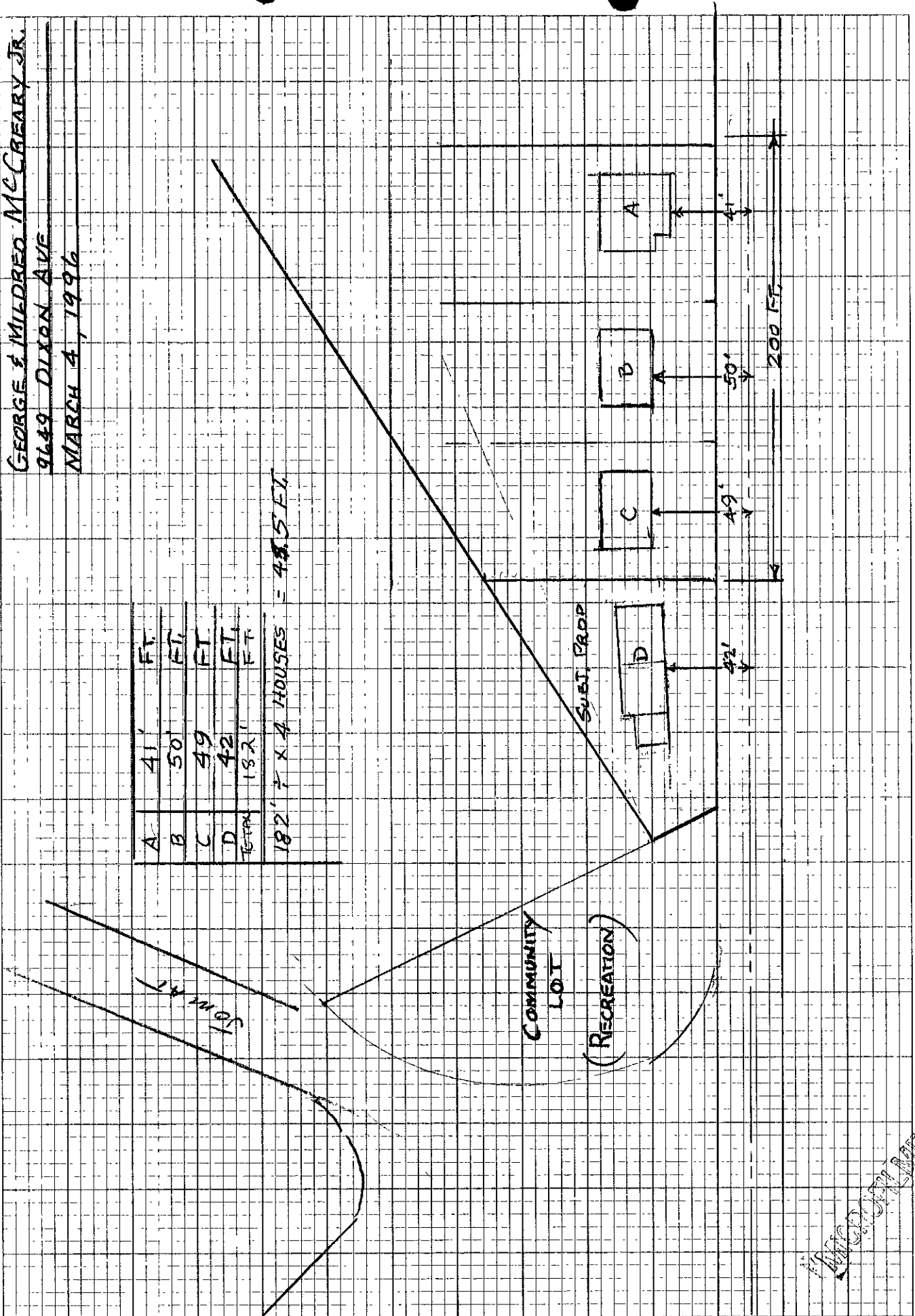

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

GEORGE & MILDRED MCCREARY JR.
9649 DIXON AVE
MARCH 4, 1996

A	41'	FT.
B	50'	FT.
C	49'	FT.
D	42'	FT.
TOTAL	182'	FT.

182' ± X 4 HOUSES = 488.5 FT.



APPROVED
MARCH 4, 1996

photographs

Case 96-352-A

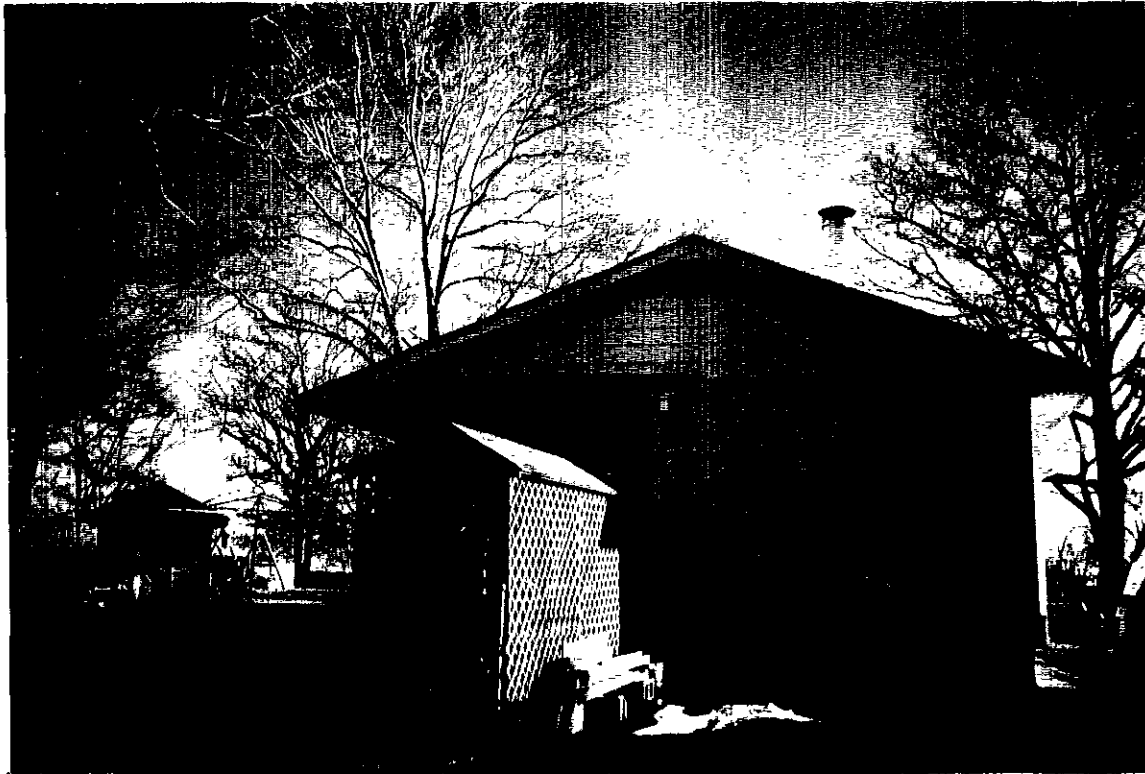
MICROFILMED











9649 Dixon
Subj. property
Garage would
attach to this
end of my house
Trellis House to
be removed.



2803 to mat
are. Thomas
Morris, looking
at N.W. corner.
Rear corner of
lot on the side
of house where
garage will be
built.



9649 Dixon
are. This picture
shows front
of my house.
Garage would
be attached to the
left. No trees
will be removed.

96-352-A

Looking N.E.
from my Side
Yard. Community
owned lot abuts
my Side Yard.
Side of garage
would face this
lot.

9646 Wren
Ave. James
Morfo, Denise
Morfo. Neighbor
west and South
west across the
street.

9647 Dixon
Ave. Bert &
Georgann
Robinson.
Neighbor to South

MICROFILMED

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

VENABLE
ATTORNEYS AT LAW

October 27, 1995

Arnold Jablon, Director
Office of Permits and Development
Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. R-94-332
Nace, Inc., Petitioner


Dear Mr. Jablon:

This firm represents Nace, Inc., the owner of Lot No. 3, a property owned by Baltimore Gas & Electric Company on Owings Mills Boulevard, Reisterstown Road. I enclose for your review a copy of the Order issued in the referenced case granting a reclassification from DR-1 to MLIM along with a documented site plan.

I am writing to ask that you please confirm that if the owner desires to build mini-warehouses in the configuration shown on the attached red-lined site plan, that it is consistent with the approval in the reclassification. Although it is completely clear from the documented site plan that such a modification is permitted, there is a slight modification to the building envelope configuration. The floor area of the buildings do not exceed the square footage of floor area shown on the site plan. Of course, the buildings would comply architecturally with General Ordinance 10-1.

Thank you for your attention to this issue. I have enclosed one copy of this letter and a check for \$40.00 in accordance with your policy.

Yours truly,


Robert A. Hoffman

10/27/95

8

TO WCL

S+I

To: MJK 10/30/95
ua

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 3-28-96

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: meeting of 4/1/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 352
353
354 ✓
355
356
357
359
360
361

LS:sp

LETTY2/DEPRM/TXTSBP

ENCLOSURE

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S Dixon Avenue, 144' S of * DEPUTY ZONING COMMISSIONER
Jomat Avenue (9649 Dixon Avenue) * OF BALTIMORE COUNTY
9th Election District
6th Councilmanic District * Case No. 96-352-A
George C. McCreary, Jr., et ux
Petitioners * * * * *

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, seek certain variance relief from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, the Petitioners sought relief to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition. The relief requested was granted, subject to certain terms and restrictions, by Order issued April 18, 1996.

WHEREAS, subsequent to the issuance of said Order, the Petitioner advised this Office that he had miscalculated the rear setback distance when he filed the Petition and requested a modification of the relief granted to permit a 9-foot setback in lieu of the 12 feet requested. In support of his request to amend, the Petitioner submitted a letter signed by his immediately affected neighbors indicating they have no objections to the increased variance of 3 additional feet.

There being no opposition to the additional relief sought and no adverse comments submitted by any Baltimore County reviewing agency, it appears the relief requested, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of May, 1996 that the Order issued in the

above-captioned matter, dated April 18, 1996, shall hereby be AMENDED to GRANT variance relief from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 9 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition; and,

IT IS FURTHER ORDERED that except as modified herein, all other terms and conditions of the Order issued April 18, 1996 shall remain in full force and effect.

TMK:bjs

cc: Mr. & Mrs. George C. McCreary, Jr.
9649 Dixon Avenue
Baltimore, Maryland 21234
People's Counsel: Case File

Timothy M. Kurocco
TIMOTHY M. KUROCCO
Deputy Zoning Commissioner
for Baltimore County

- 2 -

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S Dixon Avenue, 144' S of * DEPUTY ZONING COMMISSIONER
Jomat Avenue (9649 Dixon Avenue) * OF BALTIMORE COUNTY
9th Election District
6th Councilmanic District * Case No. 96-352-A
George C. McCreary, Jr., et ux
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 9649 Dixon Avenue, located in the vicinity of Joppa Road in Parkville. The Petition was filed by the owners of the property, George C. McCreary, Jr., and his wife, Mildred F. McCreary. The Petitioners seek relief from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition. The subject property and relief requested are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits

ORDER RECEIVED FOR FILING
Date 5/18/96
By [Signature]

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 1996 that the Petition for Administrative Variance seeking relief from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow or cause the proposed garage to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kurocco
TIMOTHY M. KUROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 2 -

ORDER RECEIVED FOR FILING
Date 5/18/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 18, 1996

Mr. & Mrs. George C. McCreary, Jr.
9649 Dixon Avenue
Baltimore, Maryland 21234

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Dixon Avenue, 144' S of Jomat Avenue
(9649 Dixon Avenue)
9th Election District - 6th Councilmanic District
George C. McCreary, Jr., et ux - Petitioners
Case No. 96-352-A

Dear Mr. & Mrs. McCreary:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-1391.

Very truly yours,

Timothy M. Kurocco
TIMOTHY M. KUROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9649 DIXON AVE.
96-352-A which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 & 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the required 28.5 feet front yard average.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

DUE TO SIZE & SHAPE OF PROPERTY AT 9649 DIXON AVE. - TO BUILD A GARAGE, ZONING REGULATIONS REQUIRE A VARIANCE - SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s):

MR. GEORGE C. MCCREARY, JR.

GEORGE C. MCCREARY, JR.

MRS. MILDRED F. MCCREARY

MILDRED F. MCCREARY

9649 DIXON AVE. 665-7390

BALTO. MD. 21234

SEE ABOVE

SEE ABOVE

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Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify hereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9649 DIXON AVENUE

BALTIMORE, MD. 21234

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (provide reasons or practical difficulty)

DUE TO THE IRREGULAR SHAPE OF OUR LOT, BALTO.

COUNTY ZONING LAWS REQUIRE AN ADMINISTRATIVE

VARIANCE TO BUILD A GARAGE

THIS GARAGE WOULD PROTECT OUR CAR FROM

THE WEATHER AND BE MORE SECURE FROM THEFT

FOLLOWING NEIGHBORS DO NOT OBJECT TO SAID GARAGE

① Herbert Robinson 9647 Dixon Ave. 665-3503

② Francis Morfe 9648 Dixon Ave. 661-5975

③ GREG GINOWIECKI 9654 Dixon Ave. 665-4472

④ THOMAS M. NARRIS 2803 JOMAT AVE 661-9057

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a repointing and advertising fee and may be required to provide additional information.

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Zoning Description

ZONING DESCRIPTION FOR 9649 DIXON AVE
(address)

Beginning at a point on the EAST side of
(north, south, east or west)

DIXON AVENUE which is THIRTY (30)
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 144 SOUTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street JOMAT AVENUE
(name of street)

which is 30' THIRTY wide. "Being Lot # 156 & 157
(number of feet of right-of-way width)

Block LVPC, Section # 7 in the subdivision of CARNEY VIEW
(name of subdivision)

as recorded in Baltimore County Plat Book # WPC Folio # 90

containing 192 AC. Also known as 9649 DIXON AVE
(square feet or acres) (property address)

and located in the 09 Election District, 06 Councilmanic District.

96-352-A

354

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 354

DATE 6 ACCOUNT 176-352-7

AMOUNT \$

RECEIVED FROM

FOR

DISTRIBUTION
DATE: CASHIER PINK AGENCY YELLOW CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

12

2.

۱۰۰

ITEM352A/PZONE/ZAC1

cc: File
Printed with Soybean Ink
on Recycled Paper

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

LS: s;LETTY2/DEPRM/TXTSBR

PETITION PROBLEMS

#353 --- JJS

1. Need original signature for legal owner.
2. Need original signature for contract purchaser.

#354 --- JRA

1. Receipt not given to petitioner - still in folder.

#356 --- JJS

1. No telephone number for legal owner.
2. Only 1 receipt for item #356 & 357.

#357 --- JJS

1. No telephone number for legal owner.
2. Only 1 receipt for item #357 & 356.

#358 --- JLL

1. No telephone number for legal owner.

#360 --- JJS

1. No zoning classification on petition form.

#361 --- JJS

1. No zoning classification on petition form.

TO: TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER

APR 1996



DEAR SIR:
I HAVE NO OBJECTION TO GEORGE MCCREARY'S REQUEST FOR ADDITIONAL 3 FT RELIEF TO PERMIT A REAR YARD SETBACK OF 9 FT. INSTEAD OF 12 FT AS SET IN THE PETITION FOR AN ADMINISTRATIVE VARIANCE GRANTED 4/18/96 BY YOUR OFFICE.

SIGNED: HERBERT ROBINSON
Herbert Robinson

9647 DIXON AVE

SIGNED: FRANCIS MORFE
Francis Morfe
9648 DIXON AVE.

SIGNED: GREGORY GRINOWIECKI
Gregory Grinowicki
9654 DIXON AVE.

SIGNED: THOMAS M. NORRIS
Thomas M. Norris
2803 JOMAT AVE

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Dixon Avenue, 144' S of
Joppa Avenue
(9649 Dixon Avenue)
9th Election District
6th Councilmanic District
George C. McCreary, Jr., et ux
Petitioners

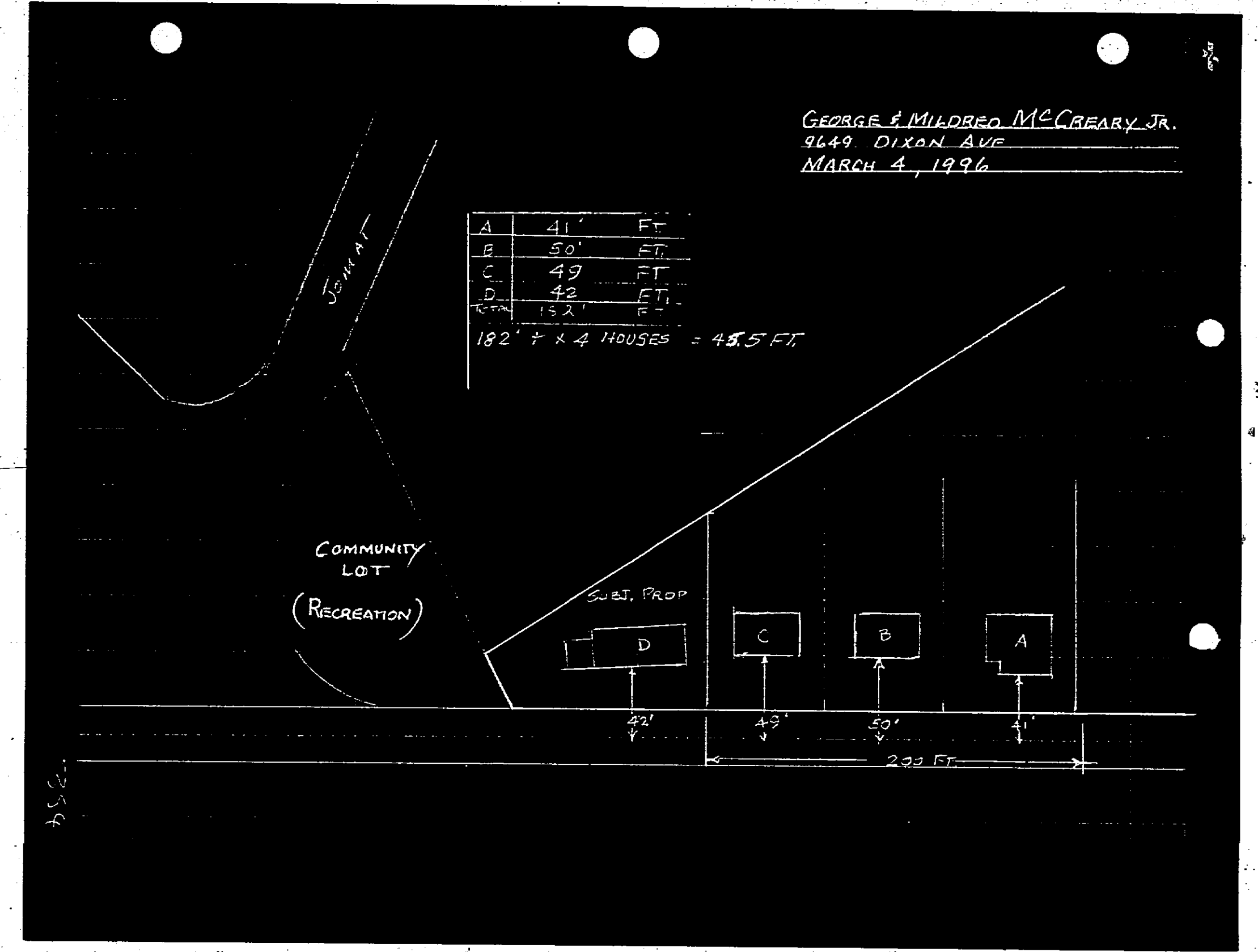
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 96-352-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 9649 Dixon Avenue, located in the vicinity of Joppa Road in Parkville. The Petition was filed by the owners of the property, George C. McCreary, Jr., and his wife, Mildred F. McCreary. The Petitioners seek relief from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12 feet in lieu of the required 30 feet and a front yard setback of 19 feet in lieu of the minimum required 28.5 feet front yard average for a proposed garage addition. The subject property and relief requested are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits



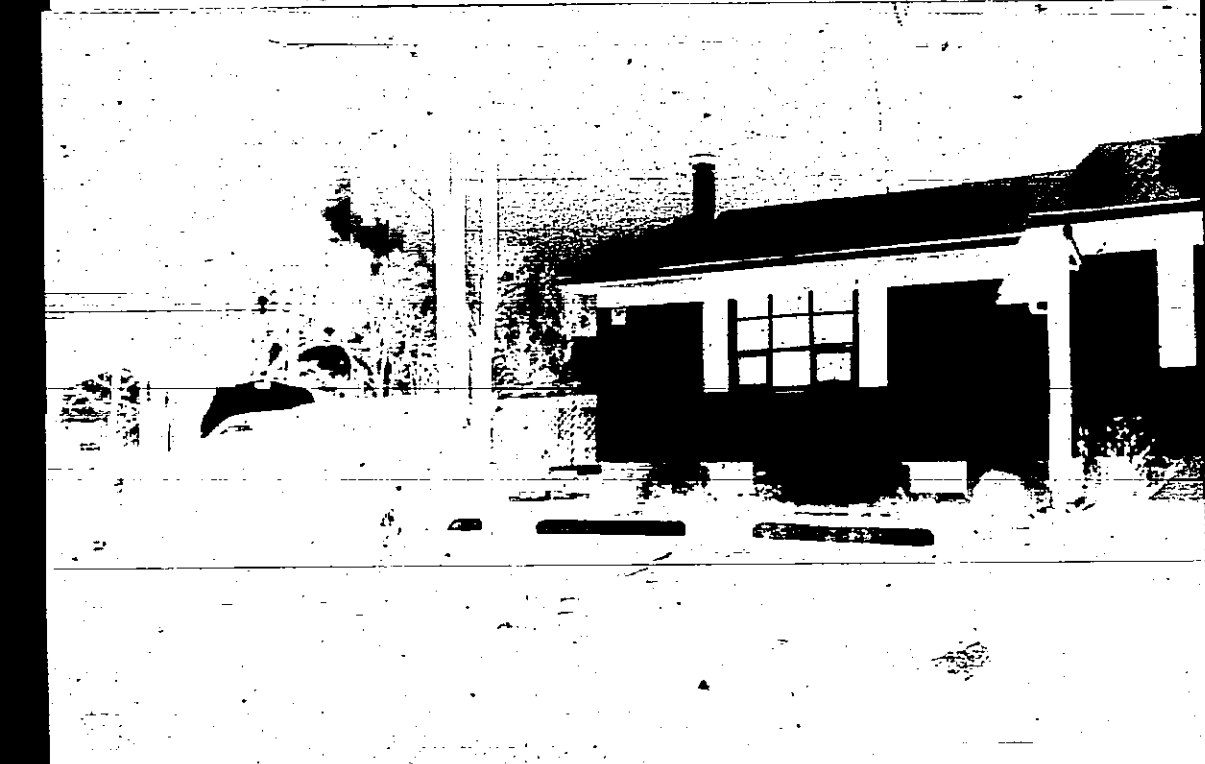
GEORGE & MILDRED MCCREARY JR.
9649 DIXON AVE
MARCH 4, 1996



9647 Dixon Ave. property is large well attached to this and if any less this house to be removed.



2803 Jomat Ave. Thomas Morris, looking at NW corner of lot on the side of house where garage will be built.



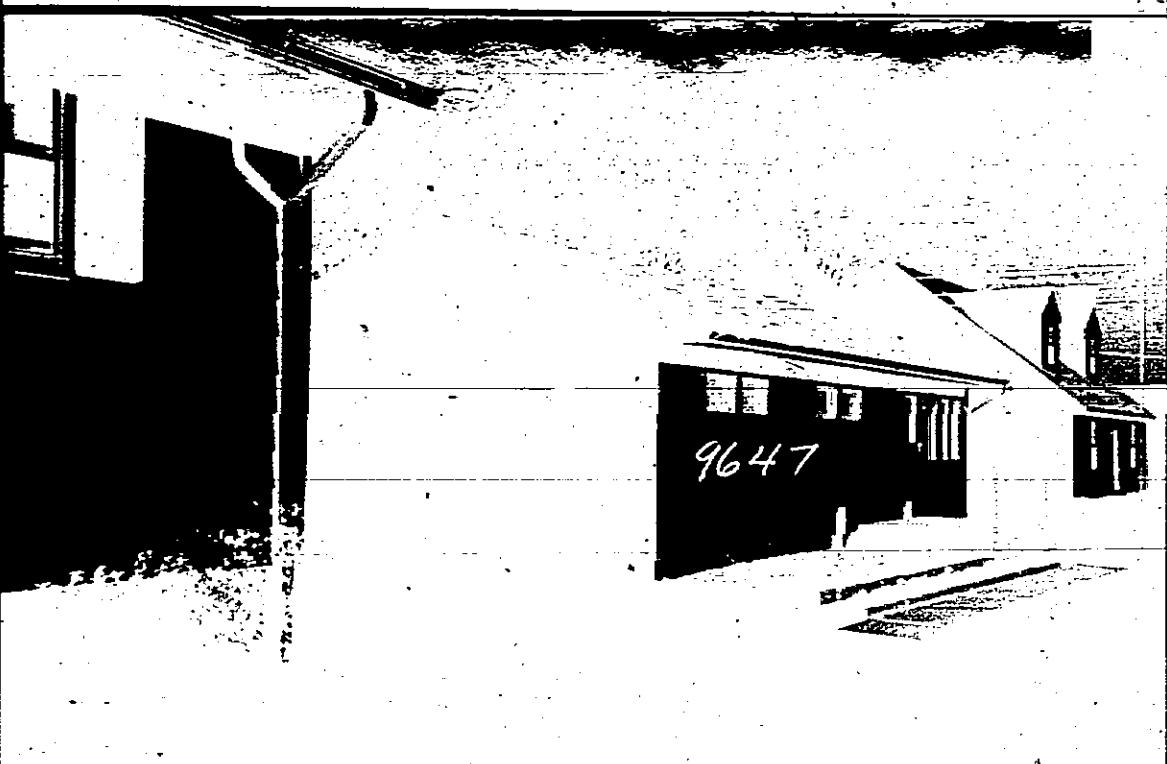
9649 Dixon Ave. This picture shows lot of my house. Garage will be attached to the left. No trees will be removed.



9646 Dixon Ave. looking N.E. from my side yard. Community lot lot of my side yard. Side yard will be used for this lot.

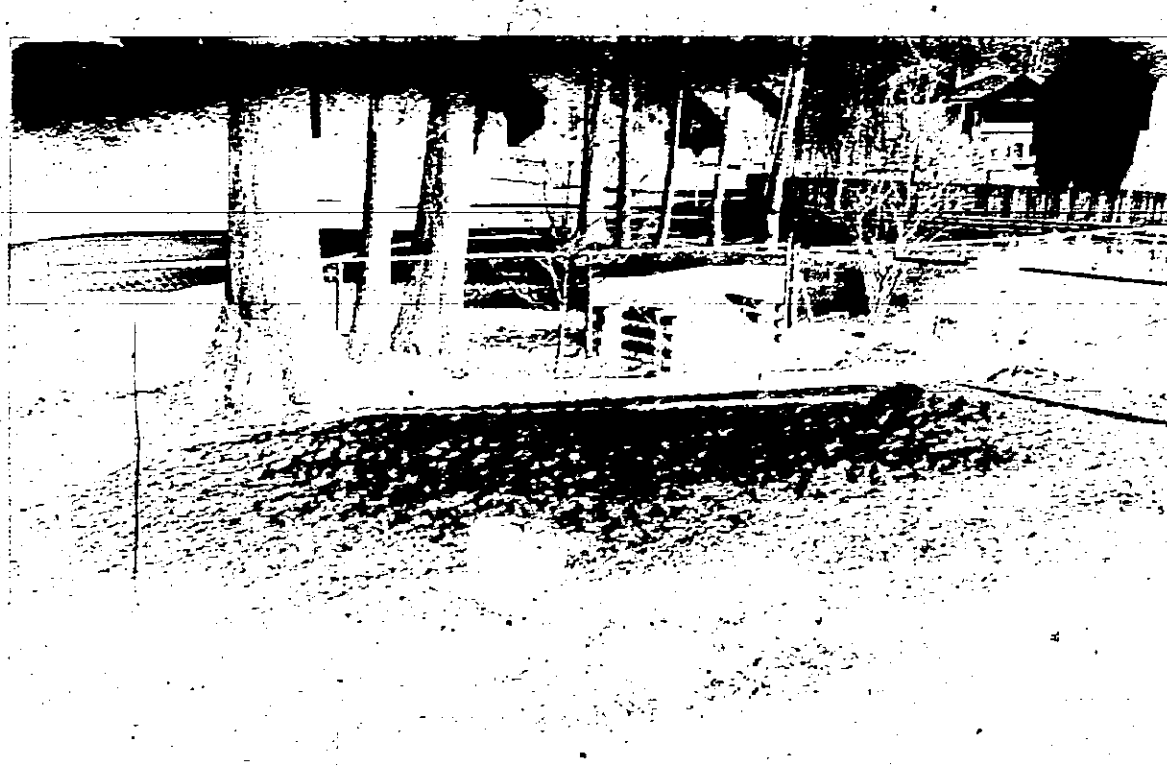
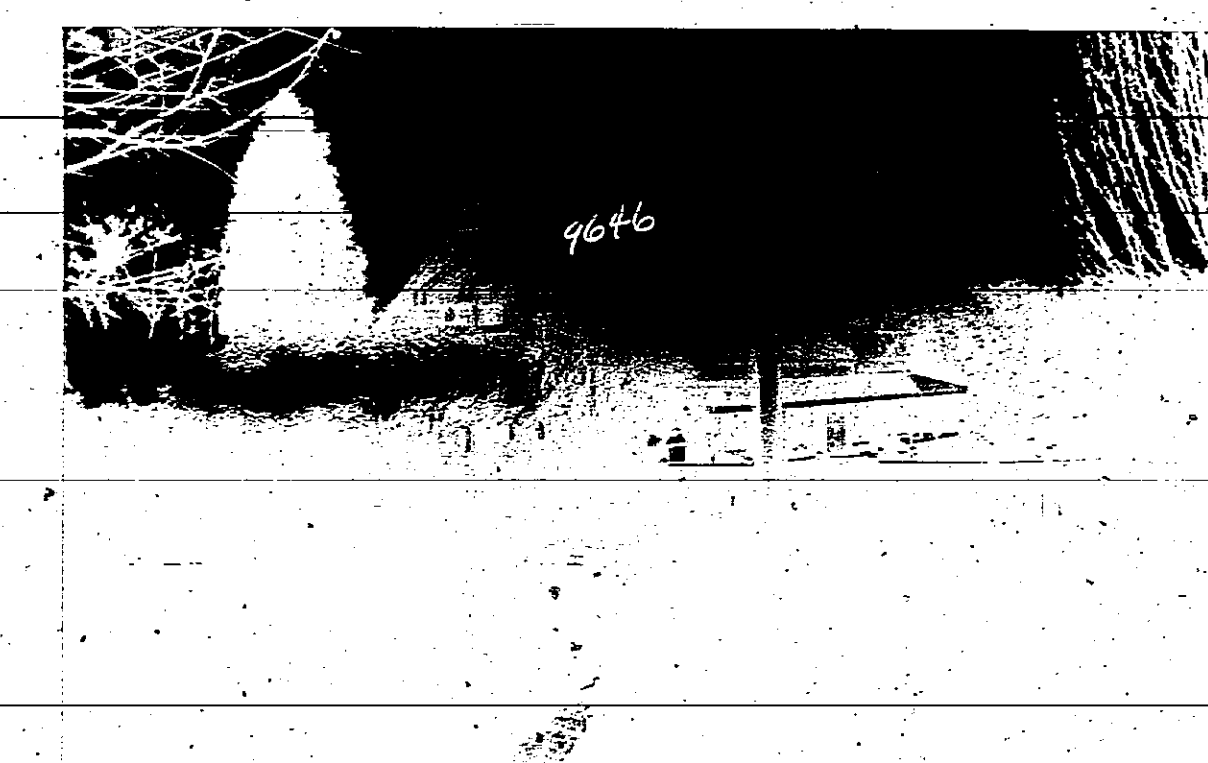


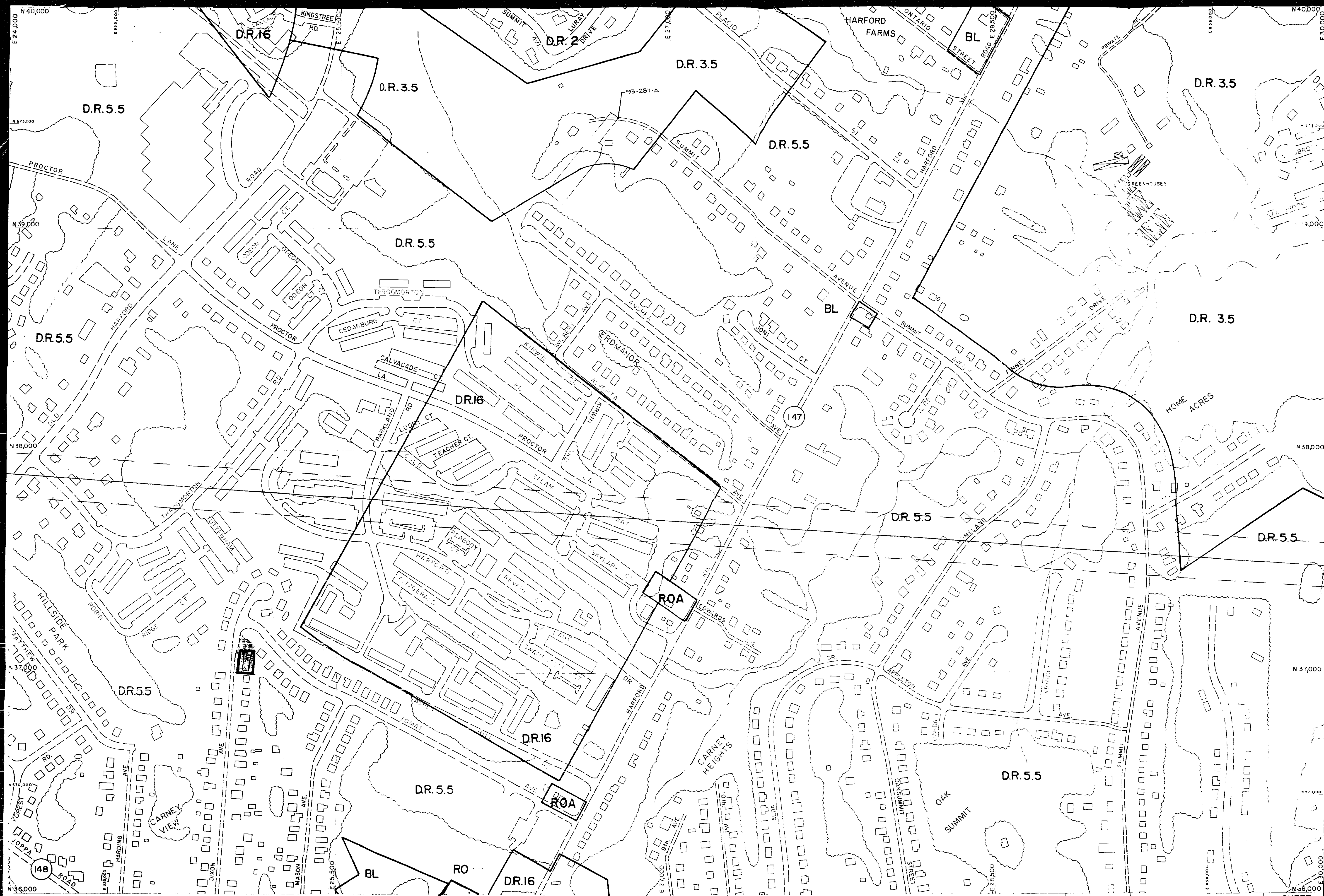
9646 Dixon Ave. Francis Morfe, looking NW corner of lot on the side of house where garage will be built.



9647 Dixon Ave. looking at NW corner of lot on the side of house where garage will be built.

photographs
Case 96-352-A





N-NE M-NW
R-SE Q-SW

96-352-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
CARNEY

SHEET
N.E.
10- E



96-352-A³⁵⁴

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
CARNEY

SHEET
N.E.
10-E